

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Dennis R. Morrison Confirmation No.: 1973
Application No. : 10/734,753
Filed : December 9, 2003
Title : Microparticle Analysis System and Method
TC/A.U. : 2877
Examiner : Nguyen, Tu T.

Docket No. : MSC-23277-1
Customer No. : 24957

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXAMINER INTERVIEW SUMMARY of MARCH 21, 2007

I. BACKGROUND

- (A) Date of interview: March 21, 2007, approximately 2:00 pm EST
- (B) Type of interview: Telephonic
- (C) Name of participant(s): Tu T. Nguyen, Patent Examiner and Kurt G. Hammerle,
Applicant's attorney

II. SUBSTANCE OF THE INTERVIEW

- (D) Brief description of the nature of any exhibit shown or any demonstration conducted:
None

(E) Identification of the claims discussed: Pending claims 1-2 and 4-28

(F) Identification of the specific prior art discussed: None

(G) Identification of the principal proposed amendments of a substantive nature discussed: Amendments to claims 10, 12-15, and 17 were proposed, but these amendments were not really discussed. The Examiner raised new concerns to the patentability of allowed method claims 18-24 and suggested that claims 18 and 22-24 required amending.

(H) General thrust of the principal arguments of the applicant: The Applicant has amended independent claim 10 to include the limitation previously found in claim 16 and has correspondingly cancelled claim 16. Further, the Applicant has amended dependent claims 12-15 to correspond to the limitation now found in currently amended independent claim 10. The Applicant submits that these amendments place claims 10-15 and 17 in a condition for allowance, particularly given that the Examiner had indicated that now cancelled claim 16 contained allowable subject matter. Further, the Applicant respectfully suggests that the Examiner's new concern related to method claims 18-24 is misguided because these claims provide a physical transformation.

(I) Indication whether an agreement was reached and if so, a description of the general nature of the agreement: No agreement as to the patentability of any of the claims was reached.

III. OUTCOME OF THE INTERVIEW

The Interview did not result in resolution of the issues pending in this matter.

IV. CONCLUSION

The Applicant respectfully submits that the requirement for a proper record of an Examiner Interview as required by M.P.E.P. § 713.04 has been fulfilled by this Examiner Interview Summary.

The Examiner is invited to contact Kurt G. Hammerle, attorney for the Applicant, at 281-483-1001, if in his opinion such a telephone interview would serve to expedite the prosecution of this patent application.

Respectfully submitted,

Date: APRIL 12, 2007

By: Kurt G. Hammerle

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